



**FSCONS  
Göteborg  
2008-10-25**

***The Future of  
Digital Freedom***

**Mike Linksvayer  
Creative Commons**



 cingular WIRELESS

I AM NOT A

DRIVE THRU **LAWYER**

... and this is a little far afield from a normal CC presentation.

The most important (and CC-relevant) takeaway is that building the commons now is critical to the future of digital freedom.

# Example threats and fears

Cyber terrorism

Cyber terrorism  
(*Cyber terror war on*)

Cyber terrorism  
(*Cyber terror war on*)

# Privacy breaches

Cyber terrorism  
(*Cyber terror war on*)

Loss of  
Generativity

Privacy breaches



Cyber terrorism  
(*Cyber terror war on*)

Loss of  
Generativity

Privacy breaches

Lock-in

Cyber terrorism  
(*Cyber terror war on*)

Loss of  
Generativity

Surveillance

Privacy breaches

Lock-in

Cyber terrorism  
(*Cyber terror war on*)



Loss of  
Generativity

Surveillance

Privacy breaches

Lock-in

Cyber terrorism  
(*Cyber terror war on*)



Censorship

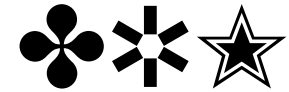
Loss of  
Generativity

Surveillance

Privacy breaches

Lock-in

Cyber terrorism  
(Cyber terror war on)



Censorship

Loss of  
Generativity

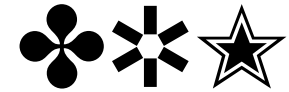
Surveillance

Suppression  
of innovation

Privacy breaches

Lock-in

Cyber terrorism  
(Cyber terror war on)



Censorship

Electoral fraud

Surveillance

Suppression  
of innovation

Privacy breaches

Lock-in

Loss of  
Generativity

# Threat categories

- Legitimate security issues
- Protectionism
- Politics and power
- Security theater and fear-based responses (driven by all of above, not just legitimate security issues)

# What is digital freedom?

- Keep same rights online/digitally that we (should anyway) have offline/IRL
- Permit innovation and participation enabled by digital world even if not possible before (probably follows from above)



How building the commons  
(free software, free culture, and  
friends) helps

# Security

- Data shows FLOSS is more secure
- Security through obscurity doesn't work
- FLOSS encourages a heterogeneous computing environment
- Free software and free culture both allergic to DRM and other mechanisms that sacrifice security to other goals

# Protectionism

- Peer production undermines policy arguments for protecting knowledge industries
- Free software and free culture both allergic to DRM

# Politics and power

- Free software and culture improve transparency
- ... and the ability of all to participate
- Peer production works against concentrated power — doesn't require concentrated production structures and lowers barriers to entry

# Security theater and fear

- Access to facts mitigates fear and allows rational evaluation of responses
- Commons work against three previous threats that drive security theater and fear

# What about network services?

## *The Commons Lost?*

- No access to source code of web applications (*none* of the four freedoms!)
- Application, data, content, even identifiers, all available at the whim of service provider
- Non-transparent, security through obscurity
- Subject to centralized failure, state meddling

# Autonomy in a network services environment

- Network application providers should publish source code of running application under a free license
- Collaboratively created content should be available under a free license
- Private data should be available for on-demand export
- Possibly most explicit linkage of free software and free culture yet

# Network services freedom: early efforts

- AGPL
- Franklin Street Declaration
- Open Software Service Definition
- Example compliant applications:
  - Wikipedia (!)
  - Identi.ca
- See <http://autonomo.us> for ongoing discussion



# Some network services open issues

- Governance of centralized services?
- To what extent are completely decentralized services required to maintain freedom?
- **Much more experience is required!**

# BLOCKBUSTER VIDEO®

I ♥ P2P

Nagging question relevant to the  
development of digital freedom over last  
~10 years:

To what extent has the attempt to suppress  
P2P negatively impacted the development  
of completely decentralized applications,  
shaped “Web 2.0”, and added to the  
network services challenge?

Can the success of the (digital)  
commons alter how we view  
freedom and power generally?

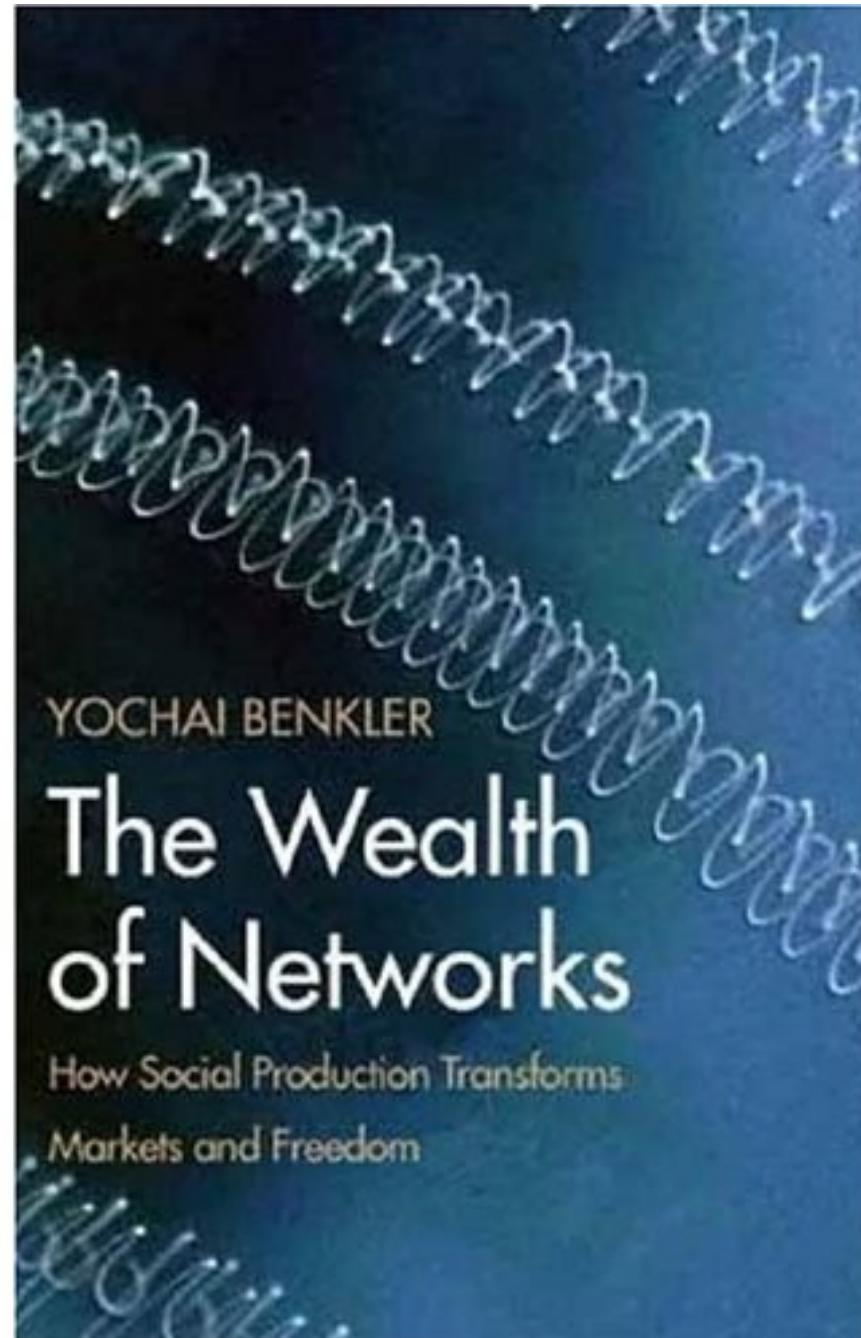
“The gate that has held the movements for equalization of human beings strictly in a dilemma between ineffectiveness and violence has now been opened. The reason is that we have shifted to a zero marginal cost world. As steel is replaced by software, more and more of the value in society becomes non-rivalrous: it can be held by many without costing anybody more than if it is held by a few.”

Eben Moglen

“If we don’t want to live in a jungle, we must change our attitudes. We must start sending the message that a good citizen is one who cooperates when appropriate, not one who is successful at taking from others.”

Richard Stallman





# What is the future of digital freedom?

- I don't know
- Have a good idea of what we need to do to make it a good future
- **It is truly wonderful that creating free software and free culture has a side effect of facilitating [digital] freedom**

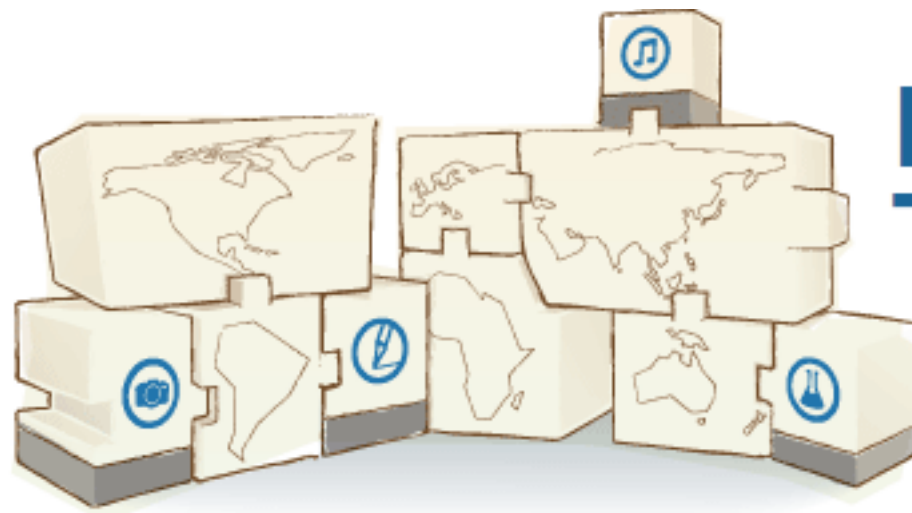


# So Create!

(and learn/experience so you can  
teach/recommend free software and free  
culture when appropriate)

# You Can Also Give Money :-)

<http://support.creativecommons.org>



## Help Build The Commons

Join Today

Join Jesse Dylan in [supporting CC](#). Watch his new video about us, [A Shared Culture](#).

[Donate](#) by November 3rd and have the value of your gift doubled thanks to [Safe Creative](#).



\$ 52,822 / \$500,000 by Dec 31

# Building the commons is key to the future of digital freedom

- Politicians and corporations are unimaginative ... they need to see solutions, or they react in fear
- A dominant commons makes many closed net scenarios much less likely

**Presentation License** ... <http://creativecommons.org/licenses/by/3.0/>

**Attribution** ... Author: Mike Linksvayer; Link: <http://creativecommons.org>

**Questions?** ... [ml@creativecommons.org](mailto:ml@creativecommons.org)

Help Build  
The Commons